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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/072,622 05/05/98 LUDWIG

L COLB-001/US

WM02/0425
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EXAMINER

RAMAKRISHNAIAH, M

ART UNIT

PAPER NUMBER

2643

DATE MAILED:

04/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/072,622

Applicant(s)

Lester F. Ludwig et al.

Examiner

Melur Ramakrishnaiah

Group Art Unit

2643

☒ Responsive to communication(s) filed on Feb 23, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-36 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-36 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2643

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10, 21, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conway in view of Lewen as applied to claims 29, 17, and 29 above, and further in view of Mauro (EP0410378A2).

Regarding claims 10, 21, and 33, Conway does not explicitly teach selecting collaboration types and to respond by establishing communication of the selected collaboration type from the first user to the selected user and graphical user interface to select a user and collaboration type.

However, Mauro discloses multimedia telemeeting terminal, communication system and manipulation method thereof which teaches selecting collaboration types and to respond by establishing communication of the selected collaboration type from the first user to the selected user and graphical user interface to select a user and collaboration type (fig. 18, col. 21 lines 52-58, col. 22 lines 1-8, lines 24-40, fig. 6, col. 12 lines 30-46, col. 13 lines 6-56)

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for selecting collaboration types and to respond to by establishing communication of the selected collaboration type from the first user to the

Art Unit: 2643

selected user and graphical user interface to select a user and collaboration type as this arrangement would facilitate the user to select required interaction for collaboration type by using visual interface, thus making it easier for user to interact with the system as taught by Mauro.

Response to Arguments

3. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

Rejection of claims 1-8, 11-13, 14-19, 22-24 25-28, , 29-31 and 34-36 under 35 U.S.C 103(a) as being unpatentable over Conway (US PAT: 5,44,476) in view of Lewen et al. (US PAT: 5,341,374), Applicant refers to his invention, regarding video images of TV quality and says that “ “TV quality” video is defined in the specification as video signals... of 24 bits of color per pixel”. It should be pointed out that none of this is in the claims and therefore extraneous to the claims. Applicants makes elaborate arguments about “TV quality” on pages 2-4 which are not persuasive. Conway definitively teaches use of a TV monitor for displaying images in video conferencing (col. 3 lines 60-68, col. 4 lines 1-7) which indicates TV quality images as required by the claims.

Applicant further argues about the combination of Conway and Lewen and says that “Each of the Conway and Lewen is directed to completely different applications, and no motivation to combine”. Contrary to the applicants conclusion about application of Lewen, the reference clearly teaches that a general object of the invention is to provide an improved system and method for providing voice, data, and video communications (col. 2 lines 49-53) which

Art Unit: 2643

clearly implies video conferenceing applications. Conway is also directed to teleinteraction with audio and video among many users located at different sites. One of ordinary skill in the art at the time invention was made would be motivated to combine Conway and Lewen to reject the Applicants independent claims 1, 14, and 25 as already stated in the office action dated 11-20-00. Therefore rejection of independent claims 1, 13, and 25 is maintained.

The rejection of dependent claims is also maintained as already put forth in the office action dated 11-22-00.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on Monday to Friday from 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2643

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).


Melur. Ramakrishnaiah

EXAMINER

Art Unit 2643.